

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

CHAPTER 4
TRIAL COURT CONCURRENT JURISDICTION

600.401 Plan of concurrent jurisdiction.

Sec. 401. (1) Within a county or judicial circuit, subject to approval by the state supreme court and subject to the limitations contained in sections 410, 601, 841, and 8304, a plan of concurrent jurisdiction may be adopted by a majority vote of each of the following groups of judges for the participating trial courts in that county or judicial circuit:

- (a) The circuit judges, the probate judges, and the district judges.
- (b) The circuit judges and the probate judges.
- (c) The circuit judges and the district judges.
- (d) The probate judges and the district judges.
- (2) A plan of concurrent jurisdiction may provide for 1 or more of the following:

- (a) The circuit court and 1 or more circuit judges may exercise the power and jurisdiction of the probate court.
- (b) The circuit court and 1 or more circuit judges may exercise the power and jurisdiction of the district court.
- (c) The probate court and 1 or more probate judges may exercise the power and jurisdiction of the circuit court.
- (d) The probate court and 1 or more probate judges may exercise the power and jurisdiction of the district court.
- (e) The district court and 1 or more district judges may exercise the power and jurisdiction of the circuit court.
- (f) The district court and 1 or more district judges may exercise the power and jurisdiction of the probate court.

(3) A plan of concurrent jurisdiction shall provide for the transfer or assignment of cases between the trial courts affected by the plan and to individual judges of those courts as necessary to implement the plan and to fairly distribute the workload among those judges.

(4) A plan of concurrent jurisdiction shall become effective on the first day of the month at least 90 days after the approval of the plan by the supreme court.

(5) This section does not apply to the counties of Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne, which have district court districts of the third class.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.

600.405 Plan of concurrent jurisdiction; adoption; options.

Sec. 405. Sections 406, 407, and 408 provide options for adoption of a plan of concurrent jurisdiction in the counties of Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne, which have district court districts of the third class.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.

600.406 Circuit court and probate court; Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne counties; adoption of plan of concurrent jurisdiction.

Sec. 406. (1) Within the counties of Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne, the circuit judges and the probate judges, subject to approval by the state supreme court and subject to the limitations contained in sections 410, 601, 841, and 8304, by a majority vote of each group of judges, may adopt 1 or more plans of concurrent jurisdiction for the circuit court and probate court in that county.

(2) A plan of concurrent jurisdiction under this section may provide for 1 or more of the following:

- (a) The circuit court and 1 or more circuit judges may exercise the power and jurisdiction of the probate court.
- (b) The probate court and 1 or more probate judges may exercise the power and jurisdiction of the circuit court.

(3) A plan of concurrent jurisdiction shall provide for the transfer or assignment of cases between the trial courts affected by the plan and to individual judges of those courts as necessary to implement the plan and to fairly distribute the workload among those judges.

(4) A plan of concurrent jurisdiction shall become effective on the first day of the month at least 90 days

after the approval of the plan by the supreme court.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.

600.407 Trial courts; Genesee, Ingham, Kent, Macomb, Oakland, and Washtenaw counties; adoption of plan of concurrent jurisdiction.

Sec. 407. (1) Within the counties of Genesee, Ingham, Kent, Macomb, Oakland, and Washtenaw, the circuit judges, the probate judges, and the district judges in the county-funded district court district, subject to approval by the state supreme court and subject to the limitations contained in sections 410, 601, 841, and 8304, by a majority vote of each group of judges, may adopt 1 or more plans of concurrent jurisdiction for the participating trial courts in that county.

(2) A plan of concurrent jurisdiction under this section may provide for 1 or more of the following:

(a) The circuit court and 1 or more circuit judges may exercise the power and jurisdiction of the probate court.

(b) The circuit court and 1 or more circuit judges may exercise the power and jurisdiction of the district court within the county-funded district court district.

(c) The probate court and 1 or more probate judges may exercise the power and jurisdiction of the circuit court.

(d) The probate court and 1 or more probate judges may exercise the power and jurisdiction of the district court within the county-funded district court district.

(e) The district court and 1 or more district judges in the county-funded district court district within the county may exercise the power and jurisdiction of the circuit court.

(f) The district court and 1 or more district judges in the county-funded district court district within the county may exercise the power and jurisdiction of the probate court.

(3) A plan of concurrent jurisdiction shall provide for the transfer or assignment of cases between the trial courts affected by the plan and to individual judges of those courts as necessary to implement the plan and to fairly distribute the workload among those judges.

(4) A plan of concurrent jurisdiction shall become effective on the first day of the month at least 90 days after the approval of the plan by the supreme court.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.

600.408 Trial courts; Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne counties; adoption of plans of concurrent jurisdiction.

Sec. 408. (1) Within the counties of Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne, the circuit judges, the probate judges, and the district judges in 1 or more district court districts within the county, subject to approval by the state supreme court and subject to the limitations contained in sections 410, 601, 841, and 8304, by a majority vote of each group of judges, may adopt 1 or more plans of concurrent jurisdiction for the participating trial courts in that county.

(2) A plan of concurrent jurisdiction under this section may provide for 1 or more of the following:

(a) The circuit court and 1 or more circuit judges may exercise the power and jurisdiction of the probate court.

(b) The circuit court and 1 or more circuit judges may exercise the power and jurisdiction of the district court within the participating district court districts within the county.

(c) The probate court and 1 or more probate judges may exercise the power and jurisdiction of the circuit court.

(d) The probate court and 1 or more probate judges may exercise the power and jurisdiction of the district court within the participating district court districts within the county.

(e) The district court and 1 or more district judges in the participating district court districts within the county may exercise the power and jurisdiction of the circuit court.

(f) The district court and 1 or more district judges in the participating district court districts within the county may exercise the power and jurisdiction of the probate court.

(3) A plan of concurrent jurisdiction shall provide for the transfer or assignment of cases between the trial courts affected by the plan and to individual judges of those courts as necessary to implement the plan and to fairly distribute the workload among those judges.

(4) A plan of concurrent jurisdiction involving district court districts of the third class may include an agreement as to the allocation of court revenue, other than revenue payable by statute to libraries or state funds, and court expenses. This agreement is subject to approval by the county board of commissioners and by each local funding unit of each participating district of the third class.

(5) A plan of concurrent jurisdiction shall become effective on the first day of the month at least 90 days

after the approval of the plan by the supreme court.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.

600.410 Plan of concurrent jurisdiction; delegation; prohibition.

Sec. 410. A plan of concurrent jurisdiction adopted under this chapter shall not include a delegation of any of the following:

(a) A power of appointment to a public office delegated by constitution or statute to the circuit court or a circuit judge.

(b) A power of appointment to a public office delegated by constitution or statute to the probate court or a probate judge.

(c) Except as provided in section 411, a power of appointment to a public office delegated by constitution or statute to the district court or a district judge.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003;—Am. 2005, Act 326, Imd. Eff. Dec. 27, 2005.

600.411 Plan of concurrent jurisdiction; probate judge; jurisdiction, powers, and duties.

Sec. 411. A plan of concurrent jurisdiction may provide that a probate judge of a county described in section 810a has the jurisdiction, powers, and duties of a district judge within that county, including jurisdiction over small claims and civil infraction actions and the power of appointment to a public office delegated by constitution or statute to the district judge.

History: Add. 2005, Act 326, Imd. Eff. Dec. 27, 2005.

600.415 Family court plan.

Sec. 415. A plan of concurrent jurisdiction may include a family court plan as provided in chapter 10.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.

600.420 Record maintenance.

Sec. 420. Unless an alternate method of record maintenance is approved by the county clerk as part of a plan of concurrent jurisdiction, the records of the circuit court, probate court, and district court shall continue to be maintained by that respective county clerk, probate register, or district court clerk in the same manner as the method employed for record management before the plan of concurrent jurisdiction is adopted.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.

600.425 Approval of plan by local funding units.

Sec. 425. Not later than 30 days before a proposed plan of concurrent jurisdiction under this chapter is submitted to the supreme court for approval, the plan shall be submitted to the local funding unit or units for their review of the plan's financial implications. Consistent with article VII, section 8 of the state constitution of 1963, the cost of implementing a plan of concurrent jurisdiction is subject to approval by the funding unit or units through the funding units' budgeting process.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003.